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Sterling Reasor

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CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER

JOO, JOSHUA

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/691,872	Applicant(s) REASOR ET AL.	
	Examiner Joshua Joo	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 13-22, 25-35, 38 and 39 is/are rejected.
- 7) ☒ Claim(s) 11, 12, 23, 24, 36 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. Claims 1-39 are presented for examination.

Allowable Subject Matter

2. Claims 11, 12, 23, 24, 36, and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Double Patenting

3. Claim 1 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 11/179433 ('433 hereinafter).

Although the conflicting claims are not identical, they are not patentably distinct from each other because '433 discloses obtaining at a computing device and associated with a user, a request to identify data corresponding to a set of criteria; obtaining identification of data stored on the computing and matching the set of criteria; obtaining identification of data stored on at least one computing device included in the computer network and matching the set of criteria, merging the identification of data stored on the host computing device associated with the user request and identification of data stored on at least one computing device included in the network; and generating a result from the merged identification set, which are all common subjects with the instant application.

'433 does not disclose automatically obtaining identification of data and generating a result from the merged identification set. However, it would have been obvious to one of ordinary skill in the art to automatically obtain identification data and generate a result from the

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merged identification set because doing so would improve the efficiency of the system by obtaining data without user interaction, and would allow users to view the requested data.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Objections

4. Claim 27 is objected to because of the following informalities:

- i) In claim 27, a semi colon is missing from the end of the line, "content matching the set of criteria"

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 2, 5, 7, 13, 14, 27, 28, 32, 38, and 39 are rejected under 35 U.S.C. 102(e) as being unpatentable by Mao et al, US Publication #2003/0041054 (Mao hereinafter).

7. As per claim 1, Mao teaches the invention as claimed including a method for managing data available for access on the network, Mao's teachings comprising:

obtaining, at a host computing device included as part of the computer network and associated with a user, a request to identify data corresponding to a set of criteria (Paragraph 0022; 0025. Sends query to a computer. Paragraph 0006. Queries consist of words or data desired.);

obtaining an identification of data stored on the host computing device associated with the user request and matching the set of criteria (Paragraph 0025. Compiles result list. Paragraph 0037. List comprises excerpt of relevant information.);

automatically obtaining an identification of data stored on at least one computing device included in the computer network and matching the set of criteria (Paragraph 0025. Queries other computers and receives result lists.);

merging the identification of data stored on the host computing device associated with the user request and the identification of data stored on at least one computing device included in the computer network (Paragraph 0025. Merge results lists.); and

generating a result of the merging the identification of data stored on the host computing device associated with the user request and the identification of data stored on at least one computing device included in the computer network (Paragraph 0025. Result is returned and displayed to user. Paragraph 0037. Results list.).

8. As per claim 27, Mao teaches the invention as claimed including a computer network having a computing device directly associated with a user and at least one remote computing device in communication, a method for managing data available for access on the network, the method comprising:

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obtaining, by the computing device directly associated with a user, a request to identify data corresponding to a set of criteria (Paragraph 0022; 0025. Sends query to a computer.

Paragraph 0006. Queries consist of words or data desired.);

obtaining, by the computing device directly associated with a user, an identification of locally stored content matching the set of criteria (Paragraph 0022; 0025. Compiles result list.

Paragraph 0037. List comprises excerpt of relevant information.);

transmitting, by the computing device directly associated with a user, a request to the remote computing device for an identification of content matching the set of criteria (Paragraph 0025. Queries other computers.);

obtaining, by the remote computing device, an identification of locally stored content matching the set of criteria (Paragraph 0025. Compiles own results lists.);

transmitting, by the remote computing device, the identification of locally stored content matching the set of criteria ((Paragraph 0025. Return results to computer);

merging, by the computing device directly associated with the user, content matching the set of criteria (Paragraph 0025. Merge results.); and

generating, by the computing device directly associated with the user, a result of the merged content matching the set of criteria (Paragraph 0025. Displays results to user.).

9. As per claims 2 and 28, Mao teaches the method as recited in claims 1 and 27, wherein the request to identify data corresponding to the set of criteria corresponds to a request to view data associated with a unique identifier corresponding to the user (Paragraph 0007; 0011; 0026. Query for WWW-based data.).

10. As per claim 5, Mao teaches the method as recited in claim 1, wherein obtaining an

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identification of data stored on at least one computing device included in the computer network and matching the set of criteria includes generating a database query corresponding to a request to identify data corresponding to the set of criteria (Paragraph 0025. Generates query corresponding to requested data.).

11. As per claim 7, Mao teaches the method as recited in claim 1, wherein the computer network includes three or more networked computers (Paragraph 0025; 0030. Plurality of computers.) and wherein obtaining an identification of data stored on at least one computing device included in the computer network and matching the set of criteria includes obtaining an identification of data stored on each computer included in the computer network and matching the set of criteria (Paragraph 0025. Queries computers corresponding to requested data. Returns result matching query.).

12. As per claims 13 and 38, Mao teaches the computer-readable medium having computer-executable instructions for performing the method recited in claims 1 and 27 (Paragraph 0022; 0023; 0025. Computer.).

13. As per claims 14 and 39, Mao teaches the computer system having a processor, a memory and an operating system, the computer system operable to perform the method recited in claims 1 and 39 (Paragraph 0022; 0023; 0025. Computer.).

14. As per claim 32, Mao teaches the method as recited in claim 27, wherein the computer network includes a second networked computer remote from the user, the method further comprising:

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transmitting, by the computing device directly associated with a user, a request to the second remote computing device for an identification of content matching the set of criteria (Paragraph 0025. Queries other computers.);

obtaining, by the second remote computing device, an identification of locally stored content matching the set of criteria (Paragraph 0025. Compiles results list.);

transmitting, by the second remote computing device, the identification of locally stored content matching the set of criteria (Paragraph 0025. Returns result list.); and

merging, by the computing device directly associated with the user, content matching the set of criteria (Paragraph 0025. Merge the lists.).

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 3, 4, 6, 9, 29, 30, 31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao, in view of Orita, US Patent #5,163,147 (Orita hereinafter).

17. As per claims 3 and 29, Mao does not teach the methods as recited in claims 2 and 28, wherein the request to identify data corresponding to the set of criteria corresponds to data in which the user is determined to be an owner of the data.

18. Orita teaches a system of accessing files on a host computer, wherein the user provides identification information to access the files, and the system determines the user's access level (Col 3, lines 10-16; Col 4, lines 60-65).

19. Even though Orita does not explicitly teaching determining the owner of the data, Orita teaches a system of providing identification information and determining whether a user is granted access to read and modify the data. Therefore, it would have been obvious that the user with access to read and modify data may be the owner of the data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mao and Orita because the teachings of Orita to determine the user's access level would improve the system of Mao by providing access protection to data stored on the Internet.

20. As per claims 4 and 30, Mao does not teach the method as recited in claims 2 and 28, wherein the request to identify data corresponding to the set of criteria corresponds to data in which the user is determined to have permission to view the data.

21. Orita teaches of requesting access to data, wherein the user is determined to have permission to view the data (Column 4, lines 60-65).

22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mao and Orita because the teachings of Orita to determine user's permission to view the data would improve the system of Orita by providing access protection to data stored on a network.

23. As per claims 6 and 31, Mao teaches the method as recited in claims 1 and 27, wherein obtaining an identification of data stored on at least one computing device included in the computer network and matching the set of criteria includes transmitting a security identifier corresponding to the user.

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24. Orita teaches of transmitting a security identifier corresponding to the user (Col 3, lines 10-19).

25. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mao and Orita because the teachings of Orita to transmit a security identifier corresponding to the user would improve the system of Mao by allowing the system to determine if the user has permission to access files stored on the database, thereby increasing the security of the data stored on the network.

26. As per claims 9 and 34, Mao does not teach the method as recited in claims 1 and 27 further comprising:

obtaining, by the computing device directly associated with the user, an indication to manipulate data corresponding to the result of the merged content, wherein the data selected to be manipulated is stored on the remote computing device;

transmitting, by the computing device directly associated with the user, the request to manipulate the selected data and a security identifier to the remote computing device;

obtaining, by the remote computing device, the request to manipulate the selected data and the security identifier to determine whether the user is authorized to manipulate the selected data;

transmitting, by the remote computing device, permission to manipulate the selected data;

obtaining, by the computing device directly associated with the user, the permission; and
manipulating, by the computing device directly associated with the user, the selected data.

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27. Orita teaches of obtaining, by user's work station, a request to modify data stored on a remote computer (Col 4, lines 49-55; Col 5, lines 1-7), wherein security identifier corresponding to the user is transmitted to the host computer (Col 3, lines 10-19), and permission is obtained to modify the data (Col 4, lines 60-67).

28. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mao and Orita because the teachings of Orita to perform the above methods of Paragraph 27 would enhance the system of Mao by providing a secure method to modify data stored on the network.

29. Claims 8 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao, in view of Luckenbaugh et al, US Publication #2001/0013096 (Luckenbaugh hereinafter).

30. As per claims 8 and 33, Mao does not teach the method as recited in claims 1 and 27s, wherein generating a result includes displaying the identification of the data without identifying the location of the data.

31. Luckenbaugh teaches the concept of hiding the location of the data stored on the network (Abstract).

32. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Mao with the teachings of Luckenbaugh because the teachings of Luckenbaugh to hide the location of data stored on the network would improve the security of Mao's system keeping location of data a secret, thus providing limited information computers storing the data.

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33. Claims 10, 15, 18, 20, 22, 25, 26, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao, in view of Yamanoue, US Patent #6,745,180 (Yamanoue hereinafter).

34. As per claims 10 and 35, Mao does not teach the method as recited in claims 1 and 27 further comprising maintaining a record of the result of the merging the identification of data stored on the host computing device associated with the user request and the identification of data stored on at least one computing device included in the computer network.

35. Yamanoue teaches of storing the results of the query (Abstract; Col 3, lines 50-51).

36. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Mao with the teachings of Yamanoue because the teachings of Yamanoue to maintain a record of result for the user's query would improve the system of Mao by using the stored results to process subsequent results.

37. As per claim 15, Mao teaches substantially the invention as claimed including a method for managing data available for access on the network, Mao's teachings comprising:

obtaining a user request to identify content stored on the two or more computing devices (Paragraph 0025. Sends queries to a computer. Paragraph 0006. Queries consist of words or data desired.);

automatically querying the two or more computing devices within the computer network to identify the contents of local computing storage locations (Paragraph 0025. Transmits query to other computers and return result lists.);

merging the results of the queries (Paragraph 0025. Merge results lists.); and

displaying the results of the merge query results (Paragraph 0025. Result is returned and displayed to user. Paragraph 0037. Results list.).

38. Mao teaches substantial features of the claimed invention including querying data to identify content associated with user criteria (Paragraph 0006; 0025). However, Mao does not teach of querying to identify content associated with a unique user identifier.

39. Yamanoue teaches the concept of querying data based on a user ID (Abstract; Col 11, lines 5-13; Col 19, lines 49-61).

40. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Mao with the teachings of Yamanoue because both teachings deal with querying to identify content on a network. Furthermore, the teachings of Yamanoue to query data based on user ID would improve the system of Mao by providing another method of querying content including identifying content specifying to each user (Abstract).

41. As per claim 18, Mao teaches the method as recited in claim 15, wherein automatically querying the two or more computing devices within the computer network to identify the contents of local computing device storage locations corresponding to the unique user identifier includes generating a database query corresponding to identify content corresponding to the unique user identifier (Paragraph 0025. Queries computers corresponding to requested data. Returns result matching query. Paragraph 0025; 0030. Plurality of computers.).

42. As per claim 20, Mao teaches the method as recited in claim 15, wherein the computer network includes three or more network computers (Paragraph 0025; 0030. Plurality of computers.) and wherein automatically querying the two or more computing devices within the computer network to identify the contents of local computing device storage locations corresponding to the unique user identifier includes querying each computer included in the

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computer network to identify the contents of local computing device storage locations corresponding to the unique user identifier (Paragraph 0025. Query computers to identify content corresponding to criteria. Paragraph 0022. Search and merging may be performed on any computer.).

43. As per claim 22, Mao does not teach the method as recited in claim 15 further comprising maintaining a record of the result of the merging the results of the queries.

44. Yamanoue teaches of storing the results of the query (Abstract; Col 3, lines 50-51).

45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Mao with the teachings of Yamanoue because the teachings of Yamanoue to maintain a record of result for the user's query would improve the system of Mao by using the stored results to process subsequent results.

46. As per claim 25, Mao teaches the computer-readable medium having computer-executable instructions for performing the method recited in claim 15 (Paragraph 0022; 0023; 0025. Computer.).

47. As per claim 26, Mao teaches the computer system having a processor, a memory and an operating system, the computer system operable to perform the method recited in claim 15 (Paragraph 0022; 0023; 0025. Computer.).

48. Claims 16, 17, 19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao and Yamanoue, in view of Orita.

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49. As per claim 16, Mao does not teach the method as recited in claim 15, wherein the request to identify content corresponding to the unique user identifier corresponds to content in which the user is determined to be an owner of the content.

50. Orita teaches a system of accessing files on a host computer, wherein the user provides identification information to access the files, and the system determines the user's access level (Col 3, lines 10-16; Col 4, lines 60-65).

51. Even though Orita does not explicitly teaching determining the owner of the data, Orita teaches a system of providing identification information and determining whether the user is granted access to read or modify the data. Therefore it would have been obvious that the user with access such as modification may be the owner of the data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mao and Orita because the teachings of Orita to determine the user's access level would improve the system of Mao by providing access protection to data stored on the Internet.

52. As per claim 17, Mao does not teach the method as recited in claim 15, wherein the request to identify data corresponding to the set of criteria corresponds to data in which the user is determined to have permission to view the data.

53. Orita teaches of requesting access to data, wherein the user is determined to have permission to view the data (Column 4, lines 60-65).

54. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mao and Orita because the teachings of Orita to determine

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user's permission to view the data would improve the system of Orita by providing access protection to data stored on the network.

55. As per claim 19, Mao does not teach the method as recited in claim 15, wherein automatically querying the two or more computing devices within the computer network to identify the contents of local computing device storage locations corresponding to the unique user identifier includes processing a security identifier associated with the unique user identifier.

56. Orita teaches of processing a security identifier corresponding to the user (Col 3, lines 10-32).

57. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mao and Orita because the teachings of Orita to transmit a security identifier corresponding to the user would improve the system of Mao by allowing the system to determine if the user has permission to access files stored on the database, thereby increasing the security of the data stored on the network.

58. As per claim 21, Mao does not teach the method as recited in claim 15 further comprising:

obtaining a request to manipulate on or more pieces of content included in the merged results, wherein the content selected to be manipulated is remote from a computing obtaining the request;

transmitting a security identifier corresponding to the unique user identifier;

obtaining permission to manipulate the selected content; and

manipulated the content selected to be manipulated.

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59. Orita teaches of request to modify data stored on a remote computer (Col 4, lines 49-55; Col 5, lines 1-7), wherein security identifier corresponding to the user is transmitted (Col 3, lines 10-19), and permission is obtained to modify the data (Col 4, lines 60-67).

60. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mao, Yamanoue, and Orita because the teachings of Orita to perform the above methods of Paragraph 59 would enhance the system of Mao by providing a secure method to modify data stored on the network.

Conclusion

61. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

62. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Thursday 8AM to 5PM and every other Friday.

63. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 571 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


64. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 1, 2006

JJ

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100